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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/633,687	08/07/2000	Kathryn A. Engholm	6972 US	3621

7590

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EXAMINER

NATNAEL, PAULO S M

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/633,687

Applicant(s)

ENGHOLM, KATHRYN A.

Examiner

Paulos M. Natnael

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10 and 11 is/are rejected.
- 7) ☒ Claim(s) 8, 12 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims **1-3, 6-7, 10-11** are again rejected under 35 U.S.C. 102(b) as being anticipated by Yokoyama et al., U.S. Pat. No. 5,291,285.

Considering claim 1, the claimed display of signal characteristics for multiple channels/codes within a region of interest comprising a status ribbon having a plurality of stripes, each stripe representing at least one channel/code within the region of interest and having a trait representative of a value for the at least one channel/code is met by the disclosure in Fig.3 that "a region 92 within the scale display region 91 for displaying level images, such as bars 97, associated with respective TV channels; a region 93 below the region 92 for displaying TV channel numbers; a region 94 for displaying digital values and other data for a specified channel (SP-CH) and a region for displaying other data items." (Col. 4, line 64 through col. 5, line 2)

Considering claim 2, wherein the trait represents a measured value for a signal parameter of the at least one channel where the region of interest is a frequency range having multiple channels, is met by is met by Fig.3, which illustrates the control panel

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and screen of a TV signal level meter, including bars 96,97 and 98 show the digital level value of a specified channel.

Considering claim 3, wherein the trait represents a condition for a signal parameter of the at least one channel where the region of interest is a frequency range having multiple channels.

Regarding claim 3, see rejection of claim 2;

Considering claim 6 and 7, wherein the trait is color and wherein the trait is brightness, respectively, is inherent because bar graphs in spectrum analyzers such as shown in FIG.3 for channels 96 to 98 or for other data are shown in different colors or different brightness levels to make it easier for the user of the level meter or spectrum analyzer.

Considering claim 10, wherein the trait represents activity for the at least one code where the region of interest is a digital communications radio frequency channel is met by bar 96, Fig.3.

Considering claim 11, wherein the trait represents a parameter for the at least one code where the region of interest is a digital communications radio frequency channel.

Regarding claim 11, see rejection of claim 10.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims **4 and 5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoyama et al., U.S. Pat. No. 5,291,285.

Considering claims 4 and 5, Yokoyama et al. discloses all claimed subject matter, except for,

wherein the condition is selected from the group consisting of pass and fail and wherein the condition is selected from the group consisting of pass, caution and fail;

Regarding claims 4 and 5, Yokoyama discloses the "region 94 for displaying digital values and other data for a specified channel (SP-CH); and a region for displaying other data items. Yokoyama discloses a TV signal level meter which is capable of measuring and simultaneously indicating the levels of signal for a multitude of TV channels. (Col. 2, lines 5-8) Since the claimed conditions such as pass, caution and fail imply some sort of measurement or test had been done or conducted on the desired subject, it would have been, therefore, obvious to the skilled in the art at the time the invention was made to modify the reference of Yokoyama in order to display such claimed conditions as pass, caution and fail in the region 94 for displaying digital values and other data items.

Response to Arguments

4. Applicant's arguments filed November 27, 2002 have been fully considered but they are not persuasive.

5.

Applicant's Argument

Yokoyama et al do not teach or suggest a status ribbon display, i.e., in common usage "a long narrow strip", as described in Applicant's application. Further the image levels of Yokoyama et al. are not equivalent and do not suggest the stripes, i.e., in common usage "adjacent lines or narrow strips", recited by applicant in claim 1.

Examiner's Response

Applicant is arguing something that is not in the claims. A long narrow stripes or adjacent lines or narrow stripes is not in the claims. Nevertheless, Yokoyama et al disclose "a region 92 within the scale display region 91 for displaying level images, such as bars 97, associated with respective TV channels; a region 93 below the region 92 for displaying TV channel numbers; a region 94 for displaying digital values and other data for a specified channel (SP-CH) and a region for displaying other data items." (Col. 4, line 64 through col. 5, line 2) Yokoyama's bar or level image 97 represents a signal level of the channel. Yokoyama further discloses the "region 94 for displaying digital values and other data for a specified channel (SP-CH); and a region for displaying other data items. Yokoyama discloses a TV signal level meter which is capable of measuring and

simultaneously indicating the levels of signal for a multitude of TV channels.” (Col. 2, lines 5-8)

Argument is not considered persuasive.

Allowable Subject Matter

6. Claims **8, 12-13** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to disclose a display of signal characteristics comprising, a draggable window encompassing a subset of codes for which additional detail is desired where the region of interest is a digital communications radio frequency channel, as in claims 8 and 12; and comprising a subsidiary window having a plurality of stripes representing the subset of codes, each stripe representing a single one of the subset of codes and having the trait representative of the value for the single one of the subset of codes, as in claim 13.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

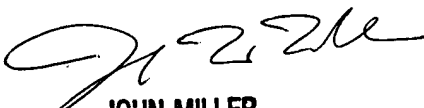
TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Paulos M. Natnael** whose telephone number is (703) 305-0019. The examiner can normally be reached on 6:30am -3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Miller** can be reached on (703) 305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Paulos M. Natnael
February 10, 2003


JOHN MILLER
SUPERVISORY PATENT EXAMINER
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